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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/134,799    08/14/98    MIHURA

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LM12/0413

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EXAMINER
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BRUCE MIHURA  
6302 COLINA LANE  
AUSTIN TX 78759

PSITOS.A	
ART UNIT	PAPER NUMBER

2752

DATE MAILED:

04/13/00

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/134,799

Applicant(s)  
Mihura

Examiner  
Psitos

Group Art Unit  
2752



☒ Responsive to communication(s) filed on Aug 14, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire one month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-36 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☐ Claim(s) \_\_\_\_\_ is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☒ Claims 1-36 are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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**DETAILED ACTION**

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 2,18,19,32 & 33 drawn to a chassis and its physical dimension, classified in class 361, subclass 679. ✓
- ← II. Claims 3,29,30 & 35, drawn to a dynamic recording/reproducing system having automatic control of the recorder mechanism, classified in class 360, subclass 69.
- III. Claims 4-7, drawn to independent dynamic audio systems, classified in class 369, subclass 1.
- IV. Claims 8-10, drawn to I/O data processing for data storage device, classified in class 710, subclass 74.
- V. Claims 11-16 & 36, drawn to audio signal compression and decompression, classified in class 704, subclass 500.
- VI. Claim 17, drawn to an electrical housing with displays, classified in class 361, subclass 681.
- VII. Claims 20-22,& 31 drawn to remote control capabilities(wireless), classified in class 340 , subclass 825.72 .
- no  
separability  
VIII. Claims 23-24, drawn to electrical audio signal processing, classified in class 381, subclass 111.
- IX. Claims 25-27, drawn to I/O peripheral adapting capabilities, classified in class 710, subclass 62.

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X. Claim 28, drawn to an electrical chassis for disk drives , classified in class 361, subclass 685.

XI. Claim 34, drawn to editing capabilities of a dynamic recording/reproducing system , classified in class <sup>360</sup>, subclass 13

2. The inventions are distinct, each from the other because of the following  
the inventions are independent subcombinations useable together as disclosed. The subcombinations are distinct from each other if they are shown to be separately usable.

In the instant case invention of Group I has separate utility such as in/with a radio, a tape player, a tv.

In the instant case the invention of Group II has separate utility- such as a VTR.

In the instant case, the invention of Group III has separate utility such as in/with a car radio.

In the instant case, the invention of Group IV has separate utility such as in/with an internet commerce system.

In the instant case, the invention of Group V has separate utility such as in/with a tv audio subsection in a tv-vcr system.

In the instant case, the invention of Group VI has separate utility such as in/with Telephone answering system.

In the instant case, the invention of Group VII has separate utility such as in/with a VCR remote control system.

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In the instant case, the invention of Group VIII has separate utility such as in/with a phonographic (LP) stereo system.

In the instant case, the invention of Group IX has separate utility such as in/with a computer telecommunications system.

In the instant case, the invention of Group X has separate utility such as in/with a VTR.

In the instant case, the invention of Group XI has separate utility such as in/with a VTR editing system.

3. Claim 1 link(s) inventions II through XI . The restriction requirement between the linked inventions is subject to the nonallowance of the linking claim(s), claim 1. Upon the allowance of the linking claim(s), the restriction requirement as to the linked inventions shall be withdrawn and any claim(s) depending from or otherwise including all the limitations of the allowable linking claim(s) will be entitled to examination in the instant application. Applicant(s) are advised that if any such claim(s) depending from or including all the limitations of the allowable linking claim(s) is/are presented in a continuation or divisional application, the claims of the continuation or divisional application may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Where a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 44 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

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In accordance with MPEP 809 no telephone call was made to applicant's representative.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, and the searches are not co-extensive restriction for examination purposes as indicated is proper.

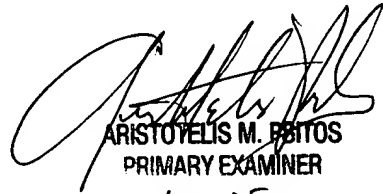
Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is given THIRTY DAYS (ONE MONTH) shortened statutory period to respond to the above requirement.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aristotelis M. Psitos whose telephone number is (703) 308-1598.

amp

April 13, 2000

  
ARISTOTELIS M. PSITOS  
PRIMARY EXAMINER  
AU 2752